

DR. ELIOT'S ANTI-STRIKE BILL
HARVARD'S EX-PRESIDENT PROPOSES PLAN TO LEGISLATURE.
Provides for Labor Commissioner With Large Powers and Would Inflict Severe Penalties on Persons Indulging in Strikes or Lockouts.
BOSTON, Jan. 23.—Dr. Charles W. Eliot, ex-president of Harvard University, George B. Hugo and George H. Ellis, have petitioned the Legislature for "an act to provide for the public investigation of industrial disputes and for the prevention and settlement of strikes and lockouts."
Dr. Eliot has long entertained a labor lobby and his friends are anxious to see his proposed relief bill will be received by workingmen and their employers. The first section of the bill says: "It shall be unlawful for any employer to declare or cause a lockout or for any employee to go on strike on account of any dispute provided for by this act, unless such dispute shall have been referred to a board of investigation under the provisions of this act, or during such reference, but nothing in this act shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein or for any cause not constituting a lockout or strike."
Section 2 specifies that the disputes provided for by the bill "shall be deemed to be any dispute or difference between an employer and one or more of his employees, as to matters or things affecting or relating to work done or to be done by him or them, or as to the privilege, rights and duties of employers or employees (not involving any such violation thereof as constitutes an indictable offense) and without limiting the general nature of the above definition, includes all matters relating to hours of employment, wages, sex, age, qualification or status of employees, and the mode, terms and conditions of employment; employment of children or any person or persons or class of persons, or the dismissal of or refusal to employ any particular person or persons or class of persons; claims on the part of an employer or any employee as to whether and, if so, under what circumstances preference of employment should be given to one class over another of persons being or not being members of labor or other organizations; material supplied and alleged to be bad, unfit or unsuitable, or damage alleged to have been done to work; any established custom or usage, either generally or in the particular district affected; the interpretation of an agreement or a clause thereof; provided, however, that such dispute involves not less than ten persons in the same general occupation."
The bill provides for the appointment of a commissioner of labor to whom either employers or employees engaged in a dispute may apply for the appointment of a board of investigation, and in every such case, until the dispute has been finally dealt with by a board, neither employer nor the employees affected shall alter the conditions of employment or the wages or hours or on account of the dispute do or be concerned in doing directly or indirectly anything in the nature of a lockout or strike or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute or anything arising out of the dispute.
Applications for investigation must be signed by employers or a majority of employees, accompanied by concise statements of the existing controversy and the party making application first shall send a copy of all documents submitted to the other party, and he or they shall send a statement in reply to both the commissioner and the applicants.
The board of investigation shall consist of three members, one designated by the employer, one by the employees or their duly authorized agent, or in the event of failure of either party to designate a member in the application or within five days of notice of the application by the commissioner the two members designated as aforesaid shall choose a third, who shall be chosen, or upon their failure to agree he shall be designated by the commissioner.
The chairman upon receipt of a copy of the application and statement will fix a time for a hearing in the locality where the trouble is. The duty of the board shall be to try to bring about a settlement when possible after carefully inquiring into all the facts in dispute, and may dismiss any matter referred to it which it thinks is trivial. Books and papers introduced in evidence may be sealed. Either party may be represented before a board by three or less designated persons, but no lawyer shall appear except with consent of the parties, and even then the board can bar him. Witnesses may be summoned and the board can pass on the admission of evidence.
Section 17 provides: "Before or during proceedings before a board of investigation the parties may agree in writing to be bound by its decision."
In case no settlement is arrived at the board must file within ten days with the Commissioner of Labor a full statement of the proceedings containing the cause of dispute and the board's recommendations. A copy of such statement shall then be sent to the parties in dispute.
For penalties the bill provides that any employer declaring or causing a lockout contrary to the provisions of this act shall be liable to a fine of not more than \$10 a day for each employee so locked out, but not less than \$100 for each day or part of a day that such lockout exists. Any employee who goes on strike contrary to the provisions of this act shall be liable to a fine of not more than \$50 for each day or each part of a day that such employee is on strike. Any employer or employee violating any other provision of this act shall be liable to a fine of not more than \$1,000. Any employer or employee using any unjustly maintaining a given condition of affairs through delay shall be liable to a fine of not more than \$1,000. Any person who incites, encourages or aids in any manner any employer to declare or continue a lockout or any employee to go on strike contrary to the provisions of this act shall be liable to a fine of not more than \$1,000.

FLOOD DAMAGE IN PARIS.
The Seine Rises 35 Feet—Bears Pits and Subways Under Water.
Special Cable Dispatch to THE SUN.
PARIS, Jan. 23.—Rain intermingled with snow began falling again to-day. The Seine is still rising, and is now twenty-five feet above the normal. The flood threatens to equal or exceed that of 1876, which was phenomenal.
Thousands of persons gathered to-day along the river to watch the tremendous current swirling along, laden with loose timbers, casks, remnants of furniture and merchandise from riverside warehouses. The arches of the bridges are still above the water, but the flood threatens soon to overtop them. The drinking water supply is threatened as the filtering machinery is in danger of being swamped.
Three lines of the underground railway are in such a condition from the flood that they cannot be used. The Jardin des Plantes is partly flooded. The bears are in a pitiful plight. Firemen have been employed throughout the day pumping the water out of the bear pits lest the animals be drowned.
Despite considerable damage to property Parisians generally have as yet suffered little but inconvenience, except in the Auteuil district, which is badly flooded. In the suburbs many houses have been abandoned and the streets are not lighted owing to the inundation of the electric light plants.
The newspapers are filled with reports of damage and suffering in a large part of the country. Some of the papers will probably have to curtail their issues on Monday owing to the destruction of the contents of two big paper mills whence they were supplied. The suspension of trains is complete in some districts and traffic is greatly delayed elsewhere.

SEE THE COMET AT SEA.
It Follows the Sun Down Over the Level Atlantic Skyline.
The United Wireless Company received two reports from coastwise steamships yesterday reporting a comet visible to the naked eye. The first message came from the steamship Bermudian, which was then about 700 miles southeast of Sandy Hook. The message read as follows:
"Halley's comet was discovered by a passenger just before sundown and news quickly spread over the ship. All passengers went to the rail and watched the sight until it sank beneath the skyline after being in sight for slightly more than half an hour. Both the head and tail were plainly visible to the eye and it was the most wonderful sight I have ever seen at sea. The comet when seen was visible just over the horizon and near the evening star."
Capt. Frazer is in command of the Bermudian of the Quebec Line, plying between here and Bermuda.
The second message was received in this city about 9 o'clock last night by the United Wireless from the steamship Ancon of the Panama Railroad Steamship Company, and was as follows:
"Ancon, January 23, off Atlantic City, 7 P. M.—Halley's comet visible aboard ship to naked eye. Both head and tail in sight near sundown from 5:30 to 6."
It isn't Halley's comet, though, which is still telescopic; it's the one first reported from South Africa last week.
CHICAGO, Jan. 23.—The Johannesburg comet has been photographed by the University of Chicago astronomers at the Yerkes Observatory, Williams Bay, Wis. The photographs were made on Friday evening between 5 and 6:30 o'clock by Prof. E. E. Barnard.
Boston, Jan. 23.—The newly discovered comet showed brilliantly in the western sky for more than two hours this evening. Many thousands saw it, but few recognized it as a comet. To the naked eye it appeared to be nothing more than a star of unusual size, but with telescopes the tail could be seen. Several photographs were taken at the Harvard College Observatory and the plates will be developed to-morrow.

CARDINAL'S NEPHEW ACCUSED.
Duke of Campobello Said to Be the Swindler Who Forged Rampa's Name.
Special Cable Dispatch to THE SUN.
ROME, Jan. 23.—According to details made public to-day the Roman nobleman who recently discounted at Florence bills of exchange to the amount of \$100,000 bearing the forged signature of Cardinal Rampolla is the Duke of Campobello, the Cardinal's nephew.
The Duke resided in Rome and frequented the best society. He was a member of aristocratic clubs and spent money lavishly. Two years ago he separated from his wife, Princess Teodolinda Altieri, and subsequently he was expelled from his clubs, where he had not paid his gambling debts.
Next he began negotiating checks purporting to have been signed by Cardinal Rampolla, which he detected. The master was hushed up, the Cardinal honoring the checks in the hope of averting the Duke's father, then he obtained a declaration from a tribunal that his son was insane. The Duke consequently lost his civil rights.
After this the Duke went to Florence, where with the complicity of a priest he discounted the forged bills of exchange. It is also reported that he stole \$5,000 from a religious institution there and fled several prelates. He continued to spend money lavishly.
His whereabouts is now unknown, but it is said that his arrest is imminent. It is feared he may commit suicide. Cardinal Rampolla's health, which is not good, has been affected by the scandal. The Pope is much saddened by the affair.

FIGHT STRICT LIQUOR LAWS.
Cigar Dealers Asked to Watch Any Threatened Legislation.
A circular was issued yesterday to the members of the Cigar Manufacturers and Dealers League calling on them to follow closely any measures for local option and prohibition which may be brought up in the Legislature. The circular, which is signed by William S. Prince, secretary, and Bernard Feller, treasurer, says:
"The unbearable blue laws of our ancestors gradually gave way and were followed by a wave of personal liberty which lasted for more than a century, but during the last sixty years a return wave of narrowness and bigotry has gradually spread over the land, and we are threatened with more strenuous laws against personal liberty than even our forefathers would have allowed."
A meeting will be held in a few days to elect a secretary in place of Samuel Prince.

COPPER MERGER FIGHT AT LAW
UTAH MOVES TO STRIKE OUT INJUNCTION COMPLAINT.
Alleges That the Complainant Who Sued to It Was Never a Shareholder and Was Hired for \$1,000 by Col. Wall to Pose as One and Get an Injunction.
Col. Enos A. Wall and Charles W. Graham, who brought suit to enjoin the Utah-Boston Consolidated Copper merger, are required to show cause to-day before United States Judge Cross at Trenton why their complaint should not be stricken from the files on the ground that Graham, who alone verified the complaint, is not and never was a holder of Utah Copper stock and was hired by the other complainant, Wall, to bring the suit and that Wall bought stock merely to bring the suit on it.
To-day is also set for argument on the injunction they obtained restraining the shareholders of both the Boston Consolidated Copper Company and the Utah Copper Company from voting on the plan. Samuel Untermyer as counsel for the Utah Copper Company got on Saturday the order to show cause, and submitted with the petition of C. M. MacNeill, president of the Utah Copper Company, depositions of Graham and Wall when before United States Commissioner Oliphant last Wednesday. Willis McCormick and Clarence K. McCormick, stock brokers, were also examined.
The petition recites, and quotes the testimony to show it, that Graham never owned a share of Utah Copper, in spite of his oath to the contrary. It recites, as established by the depositions:
That the complainant Wall had asked one Tappan, an officer (assistant cashier) of the National City Bank, to recommend a man who would allow his name to be used as complainant in this suit, which was then in contemplation by the said Wall, and that in response to such request said Tappan recommended the complainant Graham, who was unknown to the complainant Wall at the time.
Thereupon a meeting was arranged by the said Tappan between the complainants at the said bank at which the complainants were introduced to one another; that an agreement was then reached whereby the complainant Wall should buy 500 shares of stock of the Utah Copper Company, have the same transferred into the name of the complainant Graham, who should immediately execute an assignment of all his interest therein and a power of attorney in favor of said Wall, and that the complainant Wall should purchase, together with the assignment and power of attorney, should be lodged with the said Tappan at said bank subject to the direction and control of the said Wall and beyond the control of the said Graham.
It was further agreed between the complainants at said time that the complainant Wall should pay to complainant Graham the sum of \$1,000 for the services of said Graham for allowing himself to be used as a complainant in this suit. It was also agreed that the said Graham should at no time have or claim any interest whatever in said shares of stock and he has not at any time and does not now claim any interest therein.
This programme was carried out, the recital goes on, Wall buying 500 shares of Utah Copper for Graham on December 16 and 17 through the McCormicks and on January 3 bought through them 500 shares to stand in his own name. All the shares, it is alleged, were bought for the purpose of bringing the injunction suit, which was brought on January 14, and was brought after the proposed merger had been announced in the public prints. The petition goes on:
Your petitioner alleges and charges that in the commencement of this action and in the presentation and filing of the bill of complaint and in the application for a restraining order and in all the proceedings taken by the complainants they and each of them have been guilty of and have practiced gross fraud and deceit upon the court and have been guilty of a contempt of this court, the complainant Wall in hiring the complainant Graham to pose as and pretend to be a bona fide holder of stock of the company and to perform the fraudulent and illegal service of discounting upon the court for a consideration of \$1,000, paid by said Wall by agreement, and the complainant Graham in accepting employment to perform such service and in performing the same and in posing as and pretending to be a bona fide holder of stock praying for the protection of his interest in the said shares.
The complainant Wall has been guilty of contempt in acquiring stock for the express purpose of beginning and maintaining this suit after he had full knowledge and notice of the plan which he now seeks to enjoin.
Graham avows that he agreed to do the bargain and got the \$1,000, and that when he got the stock he signed a power of attorney and gave it to Mr. Tappan and had no other interest in the stock than the \$1,000 he was to earn by suing as a stockholder. Col. Wall is a mining expert of Salt Lake City. He sold his interests in the Utah Copper Company to the Guggenheims in 1904.

VACCINE FOR PNEUMONIA.
Tufts Medical College Method Successfully Used.
LOWELL, Mass., Jan. 23.—Medical science has achieved in this city in a past few weeks what is hailed as a triumph.
Mrs. Edward F. Cushing, wife of the proprietor of a hotel, and Frank W. Hurd, treasurer of one of the city's largest banking institutions, were stricken with pneumonia.
Each was believed to be dying and hope had been given up.
Then the laboratory of the Tufts College medical school came to their assistance.
To-day Mrs. Cushing is well on the road to recovery and Mr. Hurd has fully recovered.
Both Mrs. Cushing and Mr. Hurd credit their recovery to the very newest thing in the treatment of pneumonia, the vaccine treatment, introduced in the city by a few young physicians graduates of the Tufts medical school.
Another interesting local case is that of a man taken to one of the hospitals recently suffering from pneumonia, and at the point of death. Both lungs were affected and the physicians had no hope of his recovery in fact his death was expected at any moment.
As a last resort the vaccine method was tried to-day. The patient is greatly improved and his medical advisers believe that he will recover.

SON'S WIFE TO SUE TILLMAN.
Alleges That Senator Is Withholding Children From Her.
COLUMBIA, S. C., Jan. 23.—In the Supreme Court to-morrow Lucy Dugas Tillman, wife of E. R. Tillman, Jr., will bring suit against United States Senator Tillman and his wife for the recovery of her infant children, Douglas and Sarah.
Young Mrs. Tillman alleges that she has been deserted by her husband and that his parents, Senator and Mrs. Tillman, are keeping her children and not allowing her to see them.
Young Mrs. Tillman has been making her home, since her alleged desertion, in this city with her relative, Dr. Francis Pickens Butler. She is granddaughter of F. W. Pickens, who was Minister to Russia under President Buchanan. Her mother was born in St. Petersburg in a palace of the Czar and was named Douschka, the Carolina standing godmother. Douschka Pickens married Dr. Dugas of Augusta, father of young Mrs. Tillman.
She married Tillman in 1903. They separated in November, 1908. They were reunited in February of last year, but in December Mrs. Tillman became ill in Washington. She charges that her husband deserted her while she was ill and practically kidnapped the children. She has not seen them since. The case promises to be sensational.

DUFFY BOY'S ROAST.
"No Use Arresting Me; I'll Be Turned Loose, Cop Will Lose His Shield."
The case of George B. Duffy, who was arrested for fighting in a Brooklyn street on Saturday night, was adjourned until Tuesday by Magistrate John Nauman in the Myrtle avenue police court yesterday.
George E. Duffy, his father, with whom he lives at 237 Wyckoff street, gave \$200 bail. Duffy is the boy whose complaint of police persecution aroused Judge Gaynor and resulted in the removal of Police Commissioner Bingham.
The boy with whom Duffy was alleged to be fighting, Thomas Burke of 410 Douglas street, also was held for examination. Policeman Riley, who arrested the pair after they had been ordered out of a saloon at St. Felix and Fulton streets, says that Duffy remarked at the Clesson avenue police station:
"There isn't any use in arresting me; I'll be turned loose in the morning. In a week Riley will be without his shield."
FELL ON JACK JOHNSON
And Hurt His Eye—The Big Black Signs a Lively Big Bond.
Jack Johnson, the negro pugilist, got the worst of his encounter with Norman Pinder, a featherweight colored man of 26 West Ninety-ninth street, when the two met yesterday in the Jefferson Market court for the fourth round of their legal bout.
Johnson is charged with assaulting Pinder in a saloon. Pinder was in court with an eye gone bad.
The big prizefighter leaned on the Judge's desk and flashed a huge diamond ring in the Court's eye while Mark Alter, his lawyer, questioned him.
"Did you hit this man in the jaw?" "Hit that?" said Johnson contemptuously. "No, I would. Why, if I had ever hit him in the jaw I would have broken his jaw."
"Did you kick him in the head?" "Agreed," said the boxer. "If I had kicked him with my foot I would have killed him. I never touched him. He hurt himself by falling downstairs."
"It's strange how people fall down stairs on their eyes," said the Court. "I find this defendant guilty and I will hold him for trial in \$1,000 bail."
While Alter was hustling for a bondsman Johnson sat on a bench toying with a handful of diamonds that he carries loose.
"Some one will stick you up and take those stones one of these days," a man suggested to Johnson.
"He ain't got a chance," retorted the fighter.
He signed his bail bond with the air of a king pardoning an anarchist.

WEST INDIES QUAKE.
Seismic Shocks Cause Some Alarm in St. Vincent and Martinique.
Special Cable Dispatch to THE SUN.
KINGSTON, St. Vincent, British West Indies, Jan. 23.—Some excitement was caused here this afternoon by several slight shocks of earthquake. No damage was done.
Cable advices from Fort de France, Martinique, were to the effect that slight shocks were also felt there.

27 BODIES RECOVERED.
One Car in Spanish River Gives Up Its Dead—Many Unidentified.
SAYLOR ST. MARIE, Jan. 23.—According to a private message the first case car which was among those that went into the Spanish River on Friday was dragged to the river bank this afternoon and men began searching for bodies which may have fallen from the windows while the car was on its way to the shore.
The following bodies have been recovered from this car:
Four-year-old girl named Tees, from Bruce Mines; Patrick Kihana, Tees Mines; R. A. Bosh, 15 Laurier avenue, Toronto, Ont.; elderly lady, unidentified; middle-aged woman, unidentified; Thomas Auesun, proprietor Huronic Hotel, Blind River; W. J. Robertson, auditor C. P. R.; the Rev. Mr. Childerhouse, North Bay; E. G. Bemmel, Labon, N. D.; twelve-year-old boy, unidentified; Hiram Johnson, fur dealer, Montreal, Quebec; young married woman, unidentified; middle-aged woman, gray hair, unidentified; ten-year-old boy, unidentified.
This makes a total of twenty-seven bodies now taken from the wreck.

KEITH YACHT STILL MISSING.
Inquiry by Wireless Fails to Bring News of Overdue Boat.
NORFOLK, Va., Jan. 23.—B. F. Keith and his friends were to-night still anxiously awaiting the arrival of Mr. Keith's yacht Courier, now two days overdue, from Delaware Breakwater. Inquiry along the coast by land wires and wireless has failed to locate the vessel. Mr. Keith says she is a staunch craft and ably officered. Capt. A. Johnson is her master. His mate is also a licensed master, and others aboard the yacht are a steward, chef, two engineers, two firemen and two sailors.

BRAVED DEATH TO SAVE CREW
WOMAN AND 14 MEN TAKEN FROM RIGGING IN HEAVY STORM.
Schooner Hits Ledge and Breaks in Two, Leaving Nothing Above Water But Mast, to Which Crew and Captain's Wife Cling—Fishermen to the Rescue.
VINEYARD HAVEN, Mass., Jan. 23.—A pretty and timely bit of rescue work was done to-day by Capt. Levi Jackson and the four men of his fishing smack Priscilla. They succeeded in getting near enough to the schooner Mertie B. Crowley to save the lives of Capt. Haskell, Mrs. Haskell and thirteen of the crew, all of whom had been lashed in the rigging from 6 o'clock this morning until 4 P. M.
The Crowley hit Northeast End Reef off Waquoit Bay at the southeastern end of Martha's Vineyard island, about 5:30 this morning and in a few minutes her decks were being washed from end to end by huge breakers.
All hands, including the captain's wife, were forced to take to the rigging of the foreward masts, and it was well that they did so, because at 10 o'clock the craft broke in two and the after end settled down, carrying the three masts with it.
The fifteen people astride the crossbeams of the other masts expected every minute to be thrown into the boiling surf, but the spars held fast until every one of them was safely aboard the Priscilla.
The Crowley had been hove to all day Saturday in a heavy gale and last night Block Island light was mistaken for that at Shinnecock. Capt. Haskell then ran in, expecting to make Block Island, and when Edgartown light was seen through the haze about 5 o'clock this morning it was supposed to be that on the latter island. The mistake was not discovered until the craft was being smashed to pieces on a jagged reef and water was pouring into the hold.
The wreck was sighted from shore soon after daylight, but the seas were running so heavy that the Edgartown fishermen were not able for hours to drive their power smacks out to the rescue.
Finally the 37 footer Priscilla made her way out of Edgartown harbor around Cape Poge and with combined sail and gasoline power got to the leeward of the Crowley, where anchor was cast.
Then four dories were launched and Mrs. Haskell was lowered into the first that reached the stranded vessel. Others of the crew then came down the rigging and jumped into the small boats and were taken aboard the Priscilla two at a time.
When the steward leaped for the dory manned by Patrick Kelley he missed it and went into the water, capsizing the craft. Kelley got hold of the man's clothing with one hand and the rigging with the other and both were picked up by another dory.

EXCITEMENT IN MANAGUA.
Madraz Causes Arrests and Rumors Are Rife—Kimball Orders Neutrality.
Special Cable Dispatch to THE SUN.
MANAGUA, Nicaragua, Jan. 23.—Rear Admiral Kimball, commanding the American warships in Nicaraguan waters, has notified all Americans in the country that they must observe the laws of neutrality toward both the Liberal and Conservative factions.
The continued arrests of Conservatives by order of President Madraz and the many reports concerning the advance of the revolutionists have caused great excitement here. One report is to the effect that the revolutionists have captured a steamer on Lake Managua, intending to use it as a transport, while another is that Gen. Vasquez with a number of his command has deserted to Gen. Estrada, the provisional President.
The Government denies the latter report, but the story is nevertheless believed. A number of revolutionary troops are reported to be in the Province of Chontales.
The Government conscription officers are very active, but the material they are obtaining is practically worthless. Most of the conscripts are boys who are evidently entirely unfit to undergo the hardships of a campaign. Some few men are obtained, but they are not compelled to drill. In fact they go about their usual work during the day, and their chief military service consists in sleeping in the barracks at night.

EIGHT DUCKS OUT OF 240
Survive the Trip From China to Long Island—Started White, Finished Black.
The British steamship Gazee, from Hongkong and other ports of the Orient, arrived yesterday with one passenger, H. A. S. Perch, a literary American who has been a long time in Tokio, and eight Chinese ducks, imported, the rumor of the ship had it, by a Long Islander who desires to cross his own ducks with the Orientals and make a superior breed. The original consignment consisted of twenty dozen, but as the ship entered the Red Sea they began to die and all the ducks did die. All the ducks, likewise the drakes, originally had been pure white, but they began to suffer a strange sea change, the feathers turning black. Capt. Cave was rather puzzled that this transformation should begin in the Red Sea. There was a suspicion aboard that maybe the Chinese merchant who disposed of the ducks had dyed them for the Long Island market. The Long Islander will get eight black and white ducks anyhow.

BAD LUCK AT THE THRESHOLD.
The Benders, Whom a Farm Awaits, Detained Months at Ellis Island.
Jacob Bender, his wife, Caroline, their daughter Frieda, aged 3, and a baby, Edward, 18 months old, arrived here on November 2 by the North German Lloyd liner Grosser Kurfurst. They had \$20 and their fare to Hazelton, N. D., where Bender said he was part owner of a farm which was being worked by his brother. The original consignment consisted of twenty dozen, but as the ship entered the Red Sea they began to die and all the ducks did die. All the ducks, likewise the drakes, originally had been pure white, but they began to suffer a strange sea change, the feathers turning black. Capt. Cave was rather puzzled that this transformation should begin in the Red Sea. There was a suspicion aboard that maybe the Chinese merchant who disposed of the ducks had dyed them for the Long Island market. The Long Islander will get eight black and white ducks anyhow.

WOMAN IN JURY PANEL.
Mrs. Durgin Is Called and She Says She's Going to Serve.
Jacob Brenner, Commissioner of Jurors in Kings county, summoned a woman for jury service last Saturday. Mrs. Lilla D. Durgin of 1146 Forty-ninth street got a letter from him on that morning ordering her to appear in the county court house on Wednesday under pain of punishment as prescribed in the Code.
Mrs. Durgin says that she's going to obey, even though she is sure Brenner made a mistake.
Mrs. Durgin is the widow of J. Augustus Durgin, who was vice-president of the Rome Locomotive Works and later of the Rhode Island Locomotive Works.
MRS. PAYNE WHITNEY IN A FIX.
Lacking Money to Bail Her Chauffeur, She Gives Automobile Tires.
While Mrs. Payne Whitney and two women friends were returning from Manhattan yesterday afternoon in an automobile the driver was stopped in Broadway, Flushing, by a bicycle policeman.
At the Flushing station Lieut. Williams demanded \$100 bail for the appearance of Henry Allendorf, the driver. Allendorf hadn't the money and appealed to Mrs. Whitney. The three women together had only \$20.
The lieutenant said that wasn't enough. He suggested that the machine be left as security, but Mrs. Whitney had to get to New York. She asked that two extra tires and the \$20 be taken as bail—the tires were worth \$75. The lieutenant acquiesced.
As the machine was going away, Mrs. Whitney remembered that toll would have to be paid over the bridge, so Allendorf persuaded the lieutenant to let him have \$1.
WHAT'S A SUBWAY?
Dr. Pease and a Bookkeeper Disagree, but the Latter Is Arrested.
Lacy Demoss, a bookkeeper, of 106 West Ninety-sixth street, strolled into the Seventy-second street subway station yesterday afternoon with a lighted cigarette in his mouth when along came Dr. Charles G. Pease of 101 West Seventy-second street.
"Young man," said the doctor, "you are under arrest for smoking in the subway."
Demoss couldn't see it that way at all. The two had a very spirited argument about what is the subway. Lacy said that as one had to go downstairs to get to it and as he was most certainly upstairs he wasn't in the subway and that the doctor might run along and attend to his patients. Dr. Pease went into the physician's complaint. Lacy was taken to the West Sixty-eighth street police station and later obtained bail.

COMPLAINS OF LIFE SAVERS.
Owner of the Yacht Mist Thinks They Could Have Saved Her.
ATLANTIC CITY, Jan. 23.—The heavy seas of last night practically completed the destruction of the stranded yacht Mist, which was driven on her beam ends and pounded into the sands until only a portion of her battered hull is in sight. Hundreds of visitors watched wreckers strip the craft of her standing rigging at low water to-day and prepare to take out the mast and spars, which will be about the only things saved.
Before the heavy tide gripped the little vessel last night wreckers under Capt. John Townsend attempted to haul her off the beach but failed to make any headway against breakers and quicksands.
Complaint has been made by Harold Binney, owner of the Mist, to heads of the life saving service in Washington that the life savers of this city did not take proper means to prevent the wrecking of his craft. Capt. Lambert Parker, head of the local crew, insists that his men could do no more than take off the badly frightened crew of the Mist after she had started to drift into the breakers.

LIMA'S ILLUSTRIOUS GUEST.
Minutal Reception in Honor of W. J. Bryan to Be Held To-morrow.
Special Cable Dispatch to THE SUN.
LIMA, Jan. 23.—William J. Bryan visited the national library and the zoological gardens last evening. He has been invited to attend a special performance at the Municipal Theatre.
The municipality has declared him to be "Lima's illustrious guest" and has invited him to attend a special reception Tuesday afternoon.
Mrs. Bryan has recovered from her slight indisposition, and with her daughter and Lieut. Constant Cordier, military attaché of the legation, visited yesterday afternoon Señora Leguia, wife of the President of the republic.

ICEBOAT HITS SKATERS.
Couple on the Shrewsbury Badly Hurt in a Collision.
RED BANK, N. J., Jan. 23.—The third class ice yacht Silver Heels, sailed by Reuben White, ran down John Manning of Fair Haven and Miss Mabel Fisher, with whom he was skating, in Robin's Cove on the Shrewsbury River to-day. White had a party aboard and on account of the sail did not see the skaters until they were caught by a side stay and struck by the side runner.
Manning was hit in the back and knocked unconscious. The young woman lost some of her front teeth, her nose was broken and her forehead was cut.
The couple were taken to Dr. Edwin Field's residence on the river front, where their injuries were dressed. Manning was unconscious for three hours. Both were removed to their homes this evening.

MAY SAVE TAGGART'S EYE.
Shot Grazed the Ball But Did Not Penetrate It.
INDIANAPOLIS, Jan. 23.—Thomas Taggart, former chairman of the Democratic national committee, who was accidentally shot while hunting in Mississippi last Friday afternoon, reached home to-day.
A specialist made an examination of the eye. Instead of one of the shot penetrating the eyeball it just grazed the ball. It is believed that the sight is not permanently impaired.
Some forty shot have been removed from his face, shoulder and chest, and Taggart said that he was feeling greatly relieved.

CHINESE KILLS A JAPANESE
THOUGHT TO HAVE MISTAKEN HIM FOR A TONG ENEMY.
Accused Man Belongs to the Four Brothers, Four More of Whom Are Arrested—Victim Resembles One of the On Leong Tong—He Was a Valet.
Jung Hing, a Chinese cook of 4 Doyers street, is charged with shooting and killing last night a Japanese valet named Yashtio Fatio, in front of the hallway of 4 Doyers street. Three minutes after the shooting the Chinese was found bending over a stove on the top floor of the house, apparently preparing to cook food that lay there in saucers. He was breathing hard. While he was being brought down stairs two witnesses were rounded up by the police. They were two lobbygows of the quarter, who said they had seen the prisoner do the shooting and run up the stairs.
According to these witnesses, Jimmie Blink of 1 Roosevelt street and Jimmy Doyle of 11 Chatham Square, they saw Jung Hing thrust out his arm and shoot Fatio from the hallway. Fatio staggered across the sidewalk to the gutter, threw up his hands and fell to the street, while Hing, after watching his man fall, ran back down the hall to the stairs. Policemen Hayes and Howe ran to the fallen man. Howe knelt at his side and felt for the wound, while Hayes, at the direction of a man in the crowd, went up stairs after the shooter.
The Japanese lay in the arms of the policeman as the Chinese cook was led to him for identification. He raised himself upon one arm, pointed to the man and nodded his head, then he fell back into the policeman's arms and fainted. When he came to he was able to say that he had been employed as a valet by a Mr. Dietrich in Albany, and had recently come down from Albany. He had merely been passing 4 Doyers street when he was shot, and he had no idea why the man shot him. He was taken to St. Gregory's Hospital, where he died at 1 A. M. He had been shot in the back and through the stomach.
Jung Hing, the prisoner, was taken to the Elizabeth street station house and held in Capt. Galvin's room. He sat in the captain's chair, folded his arms and prepared to tell nothing. At all the questions he shook his head and said, "No say."
Finally Capt. Galvin got angry and snapped questions at him and he began to answer, after a fashion, in very good English.
He gave his name and age and said that he lived at 33 Mott street, which is a church. He insisted that that was the number. Then he remembered that he used to live in Mott street, but that he now lived on the top floor of 4 Doyers street. He was asked if he was a member for one of the secret societies. He said he was not. He was asked if he was not a member of the Four Brothers. Yes, he thought he was. One of the policemen said that the man was a member of the On Leong Tong and asked the prisoner if this was so. He answered that it was. Later he was identified as a member of the Four Brothers Society by Blink, the lobbygown.
Jung Hing said he had been in the country three years. He came from Canton, where he was a cook, he said. The three years he had been in this country he had served as a cook in some restaurant—he couldn't remember what one. Putting his hands in the pockets of his new American coat, he crossed his legs and leaned back in his chair and coolly asked the captain why he had been arrested. In answer Galvin asked him why he had shot the Japanese. The man replied that the wounded man was a Chinese, not a Japanese, and insisted upon it. Next he said he had never seen the man before, and now that he came to think of it he didn't know whether the man was a Chinese or a Japanese.
The old fashioned Colt revolver with which the Japanese had been shot had been picked up on the sidewalk. Capt. Galvin handed it to the prisoner, who scrutinized it closely. Slowly uncrossing his legs he replied that he had not done the shooting, that he had never seen the revolver before and again asked why he was there a prisoner.
Both the witnesses were very certain that he was the man who had done the shooting. They had seen the shot fired, had seen the prisoner stand and watch his man fall and had seen him turn and run up the stairs. He had been noticed by them in the streets for the last two or three days. They had seen him in the On Leong territory and in the territory of the Four Brothers.
Jung Hing was dressed in up to date American clothes. In his purple tie was a big diamond pin, and his purple socks showed above the tops of his patent leather shoes. He fumbled, not nervously, with his gold watch chain. When Capt. Galvin made him stand up and remove his overcoat the captain noticed a big smudge of white on the lapel of his undercoat. He called the man's attention to it and asked him whence it came. After carefully rubbing it off with his coat sleeve the prisoner remarked that he guessed it must have been cigar ashes. The captain said it was plaster from a wall.
Detectives of the Allen street branch bureau arrested four other Chinamen whom they found at 4 Doyers street. These are Low Kun, 18 years old; Chu Joe, 27 years old; Chu Hom, 30 years old, and Chu Pom, 25 years old, all describing themselves as laundrymen. Low Kun and Chu Hom had nice new Colt revolvers when arrested. The other two were not armed.
All are members of the Four Brothers society. The police surmised that the Japanese was mistaken for another man. In the On Leong quarter the report was that Lee Hong had been killed. Detectives who know Lee Hong say that he and the unlucky Japanese look much alike. It was only when Lee Hong was found safe and sound in his home at 19 Mott street that the members of the On Leong Tong would believe that it was not he whom they had seen lying on the pavement.

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